

**TESTIMONY OF THE  
DEPARTMENT OF INLAND FISHERIES AND WILDLIFE  
BEFORE THE JOINT STANDING COMMITTEE ON INLAND  
FISHERIES AND WILDLIFE  
IN SUPPORT OF L.D. 281**

**LD TITLE: “AN ACT TO CLARIFY PROVISIONS OF MAINE’S WHITEWATER  
RAFTING LAWS”**

**SPONSORED BY: Senator DUTREMBLE of York**

**CO-SPONSORED BY: Representative SHAW of Standish and Senator BURNS of  
Washington, Representatives: BRIGGS of Mexico, CRAFTS of Lisbon, DAVIS of  
Sangerville, EVANGELOS of Friendship, KUSIAK of Fairfield, MARKS of Pittston,  
SHORT of Pittsfield**

**DATE OF HEARING: April 4, 2013**

Good afternoon Senator Dutremble, Representative Shaw and members of the Inland Fisheries and Wildlife Committee. I am Andrea Erskine, Deputy Commissioner at the Maine Department of Inland Fisheries & Wildlife. I am speaking in support of **L.D. 281**, which proposes to clarify a provision of Maine’s whitewater rafting laws, specifically the law regarding transfers from one river to another.

As you see in the printed L.D., the department is authorized, under extenuating circumstances to allow the emergency transfer of a commercial whitewater rafting trip from a rapidly flowing river to another rapidly flowing river, even if it means exceeding the recreational use limit.

On several occasions this summer, there were no water releases on the South Branch of the Penobscot from Canada Falls Lake. Whitewater outfitters may carry passengers on this river without allocation. As a result of the water situation, the department received three requests to transfer booked passengers from this river to the Kennebec River. All three requests were granted by the department however only two were utilized. The requests were from an outfitter who did not hold allocations for the Kennebec River. Although it is not clear in the statute that the ability to transfer is NOT limited to companies that hold allocations, we allowed the transfers to occur. This amendment is intended to clarify that the ability to transfer is not limited to companies with allocations, but all licensed outfitters.

I would be happy to answer any questions you may have.